

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

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**No. 19-1096**

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ERICK JAVIER SANTOS BEY,

Plaintiff - Appellant,

v.

SOCIAL SECURITY ADMINISTRATION,

Defendant - Appellee.

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Appeal from the United States District Court for the District of Maryland, at Greenbelt.  
George Jarrod Hazel, District Judge. (8:18-cv-03993-GJH)

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Submitted: May 29, 2019

Decided: June 14, 2019

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Before NIEMEYER and HARRIS, Circuit Judges, and SHEDD, Senior Circuit Judge.

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Affirmed as modified by unpublished per curiam opinion.

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Erick Javier Santos Bey, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Erick Javier Santos Bey appeals the district court's order dismissing his civil complaint against the Social Security Administration ("SSA") for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii) (2012). Although the district court addressed the merits of Bey's claims, we conclude that the SSA is entitled to sovereign immunity. *See FDIC v. Meyer*, 510 U.S. 471, 475 (1994). Thus, we affirm the district court's order as modified to reflect that the dismissal is without prejudice for lack of subject matter jurisdiction. *See Cunningham v. Gen. Dynamics Info. Tech., Inc.*, 888 F.3d 640, 649 (4th Cir.), *cert. denied*, 139 S. Ct. 417 (2018); *S. Walk at Broadlands Homeowner's Ass'n, Inc. v. OpenBand at Broadlands, LLC*, 713 F.3d 175, 185 (4th Cir. 2013). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*AFFIRMED AS MODIFIED*